

08.04.2025

37

jb.

jdt.

Allowed

C.R.M. (DB) 578 of 2025

In Re : An Application for bail under Section 439 of the Code of Criminal Procedure/under Section 483 of the Bharatiya Nagarik Suraksha Sanhita, 2023 filed in connection with Jagaddal Police Station Case No. 229 of 2024 dated 29.06.2024 under Sections 448/323/325/302/34 of the Indian Penal Code.

And

In Re : **Munil Rajak @ Munilal**

... Petitioner.

Mr. A. Jana

Mr. Subhrajit Chowdhury

... For the Petitioner.

Zareen Nasema Khan

Mr. Subham Gani

... For the State.

The petitioner is in custody for 130 days.

Learned counsel for the petitioner submits that the post mortem report of the victim records that death of the victim was due to effect of bronchopneumonia associated with the diseased conditions of the other organs as indicated in the report. Co-accused have been granted anticipatory bail. Further detention of the petitioner is not required.

Learned counsel for the State produces the case diary and opposes the prayer for bail.

I have considered the material on record.

Charge-sheet has been submitted.

In view of the material available in the case diary particularly the cause of death of the victim as reflected from the post mortem report, this Court is inclined to hold that further detention of the petitioner is not required.

Accordingly, the prayer for bail is allowed.

The petitioner namely Munil Rajak @ Munilal shall be released on bail upon furnishing bond of Rs.10,000/- (Rupees Ten Thousand only), with two sureties of like amount each, one of whom must be local, to the satisfaction of the learned Additional Chief Judicial Magistrate, Barrackpore subject to condition that he shall appear before the learned trial Court on every date of hearing fixed by the learned trial Court and he shall not tamper with the evidence or intimidate the witnesses in any manner whatsoever.

In the event the petitioner fails to appear before the learned trial Court on any date fixed for hearing without any justifiable cause, the learned trial Court shall be at liberty to cancel his bail in accordance with law without further reference to this Court.

The application for bail is disposed of.

All parties shall act on the server copy of this order duly downloaded from the official website of this Court.

Urgent certified website copy of this order, if applied for, be supplied to the parties upon compliance with all requisite formalities.

(Suvra Ghosh, J.)